Misc. App. 1888/07
Mis. App. 2094/07
In
CLCON No. 229 of 2006

Hon. P.C. Pant, J.

Heard Mr. A. Rab, learned counsel for the petitioner and Mr. D.S. Patni, learned counsel for the respondents.

This petition is moved under Section 12 of the Contempt of Courts Act, 1971, complaining disobedience of the order dated 25.04.2006, passed in Writ Petition No. 696 (M/B) of 2005.

Perusal of said order shows that following direction was issued to the respondents:

> *"In view of the above, the respondents are directed to consider the guidelines mentioned in the byelaws while giving the license to the petitioner."*

On behalf of the respondent (alleged contemnor) an affidavit dated 9th July 2007 is filed. Annexures No. 1 and 2 to said affidavit, filed by the Executive Officer of Municipal Board, Nainital, shows that the licenses are being issued to the owners and rickshaw pullers, as per the existing byelaws and revision of byelaws is under consideration, which are yet not in force.

In the order disobedience of which is complained, nowhere the existing byelaws are sought to be declared ultra vires.

In the circumstances, no further compliance is required to be made on behalf of respondents No. 1 and 2. Hence, the personal appearance of respondents No. 1 and 2 is exempted.

Accordingly, the contempt petition is dismissed, and notices issued to the respondents are hereby discharged.

(P.C. P., J.)
27.07.2007

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